

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**FILED
CLERK**

9:54 am, Jan 22, 2019

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TRUSTEES OF LABOR UNION LOCAL NO. 1298
OF NASSAU AND SUFFOLK COUNTIES BENEFIT
FUNDS,

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Plaintiffs,

REFERRAL ORDER
17-cv-4556 (ADS) (AYS)

-against-

UNITED FENCE & GUARD RAIL CORP.,

Defendant.

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APPEARANCES:

Barnes, Iaccarino & Shepherd, LLP

Counsel for Plaintiffs

Three Surrey Lane

Hempstead, New York 11550

By: Danielle M. Carney, Esq.

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NO APPEARANCES:

Defendant

SPATT, District Judge.

On August 3, 2017, the Plaintiff commenced this action against the Defendant to recover damages under Sections 502 and 515 of the Employee Retirement Income Retirement Income Security Act of 1974, as amended ("ERISA") and Section 301 of the Labor Management Relations Act of 1947.

On January 16, 2018, the Clerk of the Court issued a Certificate of Default, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

On January 10, 2019, the Plaintiff moved for a default judgment against the Defendant.

The Court hereby refers the Plaintiff's motion for a default judgement to United States Magistrate Judge Anne Y. Shields for a recommendation as to whether the motion for a default judgment should be granted, and if so, whether damages should be awarded. The Clerk of the Court is respectfully directed to note the referral.

SO ORDERED.

Dated: Central Islip, New York
January 22, 2019

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge